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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

CLAMP-SWING PRICING COMPANY,

Plaintiff,

v.

SUPER MARKET MERCHANDISING
AND SUPPLY, INC.,

Defendant.

Case No. CV-12-02445 WHO

**STIPULATION AND ORDER
REGARDING DISCOVERY DISPUTE
STATEMENTS**

Judge: Hon. William H. Orrick
Trial Date: July 7, 2014
Complaint Filed: May 14, 2012
Second Amended Complaint Filed:

November 11, 2013

Plaintiff Clamp-Swing Pricing Company (“Clamp-Swing”) and Defendant Super Market Merchandising and Supply, Inc. (“SMM”) (collectively, the “Parties”) through their respective counsel, hereby stipulate and ask the Court to Order as follows:

WHEREAS the Parties are engaging in meet-and-confer communications regarding information and documents requested prior to the fact discovery cut-off date of October 11, 2013;

WHEREAS the Parties have been ordered to attend a Settlement Conference on December 17, 2013, and the Magistrate Judge has ordered the parties to ensure that whatever discovery is needed for all sides to evaluate the case for settlement purposes is completed by the date of the Settlement Conference;

WHEREAS the current deadline to file a discovery dispute statement with the Court is November 22, 2013;

WHEREAS the Parties seek a modification to this deadline to allow the Parties additional time to meet and confer, produce information and documents, and, if necessary, submit a discovery dispute statement;

WHEREAS no change to any other date, including the trial date, is being proposed;

NOW, THEREFORE, the Parties agree that the schedule governing the last day for the Parties to submit a discovery dispute statement will be adjusted as follows:

Event	Current Deadline	Proposed Modification
Deadline to File Discovery Dispute Statement	November 22, 2013	December 20, 2013

DATED: November 22, 2013

SHARTSIS FRIESE LLP

By: /s/ Joseph V. Mauch

JOSEPH V. MAUCH

Attorneys for Plaintiff
CLAMP-SWING PRICING COMPANY

DATED: November 22, 2013

SENNIGER POWERS LLP

By: /s/ Marc Vander Tuig

MARC VANDER TUIG

ALLMAN & NIELSEN, P.C.

By: /s/ Steve Nielson

STEVE NIELSEN

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ATTESTATION

I hereby attest that, pursuant to Local Rule 5-1(i)(3), concurrence in the filing of the document has been obtained from the other Signatory (ies) for the conformed signature(s) (“/s/”) within this electronically-filed document.

DATED: November 22, 2013

SHARTSIS FRIESE LLP

By: /s/ Joseph V. Mauch

JOSEPH V. MAUCH

Attorneys for Plaintiff

CLAMP-SWING PRICING COMPANY

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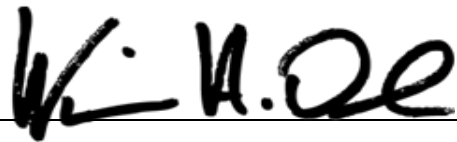
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ORDER

The Court is unaware of what the "discovery dispute" might be that precipitated this Stipulation. Accordingly, the above **STIPULATION AND ORDER REGARDING DISCOVERY DISPUTE STATEMENTS** is approved and all parties shall comply with its provisions, **provided that** the parties comply with Magistrate Judge Spero's requirement that the parties ensure that whatever discovery is needed for all sides to evaluate the case for settlement purposes be completed by the date of the Settlement Conference.

IT IS SO ORDERED.

Dated: November 22, 2013



Hon. William H. Orrick
U.S. District Court Judge

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